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PATENT  
Attorney Docket 061834-5028-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Andrew B. Sparks *et al.*** )

Application No. **10/807,856** )

Filed: **March 23, 2004** )

For: **Polypeptides Having a Functional Domain  
of Interest and Methods of Identifying and  
Using Same** )

Group Art Unit: **1639**

Examiner: **M.L. Shibuya**

U.S. Patent and Trademark Office  
Customer Service Window, **Mail Stop AF**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**TRANSMITTAL FORM**

- Transmitted herewith is a Supplemental Amendment and Response Under 37 C.F.R. 1.116 further in response to the Final Office Action dated April 7, 2006.
- Extension of Time:** The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. This request is being filed under the next business day rule on Tuesday, October 10, 2006 as the due date for responding fell on a Saturday (October 7, 2006 and Monday (October 9, 2006) was a Federal Holiday). Applicants petition for three-month extension of time from July 7, 2006 to October 7, 2006, the fee for which is **\$510.00** as set out in 37 C.F.R. 1.17(a). If the Applicants have overlooked the need for an additional extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation** (37 C.F.R. 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	20	minus	61	0	\$50.00 each=	0.00
Independent Claims	2	minus	23	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
Sub-total =						0.00
Reduction by ½ for filing by a small entity						0.00
Total Fee =						\$0.00

4. Fee Payment: The Commissioner is hereby authorized to charge **\$760.00** to Deposit Account No. 50-0310 for payment of the three-month extension of time fee (\$510.00) and the Notice of Appeal fee (\$250.00), both fees at the small entity rate.
5. Additional Papers Submitted:
  - (i) Notice of Appeal
  - (ii) Cohen *et al.* (1995) Cell 80:237-248
  - (iii) Pawson *et al.* (1995) Nature 373:573-580
  - (iv) Michelsen *et al.* (1993) PNAS USA 90:4404-4408
  - (v) Toung *et al.* (1990) PNAS USA 87:31-35
  - (vi) Van Der Geer *et al.* (1996) PNAS USA 93:963-968
5. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **October 10, 2006**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
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Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

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